

**GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT**

(G.O. Rt. No. 32/Lab./AIL/T/2016, dated 6th May 2016)

NOTIFICATION

Whereas, an award in I.D (L) No. 27/2014, dated 31-3-2016 of the Labour Court, Puducherry in respect of the industrial dispute between the management of M/s. Power Soap and Abirami Soap Works, Sembialayam Village, Puducherry and Pudhiya Jananayaga Thozhilalar Munnani, Puducherry over transfer of employees resulting in non-employment of Thiruvalargal (1) E. Murugan, (2) A. Veerasami, (3) R. Raja, (4) M. Lingeswaran, (5) L. Pachaiappan, (6) L. Gnanamurthy and (7) M. Kannan has been received.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with the notification issued in Labour Department's G.O. Ms.No. 20/91/Lab./L, dated 23-5-91, it is hereby directed by Secretary to Government (Labour) that the said Award shall be published in the Official Gazette Puducherry.

(By order)

E.VALLAVAN,

Commissioner of Labour-cum-Additional
Secretary to Government (Labour).

**BEFORE THE LABOUR COURT AT
PONDICHERRY**

Present: Thiru N. SIVAKUMAR, B.A., M.L.,
Presiding Officer, Labour Court.

Thursday, the 31st day of March 2016.

I.D. (L) No. 27/2014

Pudhiya Jananayaga Thozhilalar Munnani,
Rep. by its Secretary,
Regn. No.1656/RTU/2010
No.17, 11th Cross Street,
Kurinji Nagar,
Lawspet,
Puducherry - 605 008. . . Petitioner

Versus

The Managing Director,
Power Soap and Abirami Soap Works,
R.S. No. 93/1A, 1B, 2, Sembialayam Village,
Korkadu Post,
Puducherry - 605 110. . . Respondent

This industrial dispute coming on 21-3-2016 for final hearing before me in the presence of Thiru A.Sakthivel, Counsel for the petitioner, Thiruvalargal R. Ilancheliyan and R. Thilagavathi, Counsel for the respondent and upon hearing both sides, perusing the case records and having stood over till this day for consideration, this court delivered the following:-

AWARD

This industrial dispute has been referred as per the G.O. Rt. No. 64/AIL/Lab./J/2014, dated 10-4-2014 for adjudicating the following:-

1. Whether the dispute raised by Puthiya Jananayaga Thozhilalar Munnani against the management of M/s. Abirami Soap Works, Korkadu, Puducherry over transfer of employees resulting in non-employment of Thiruvalargal (1) E. Murugan, (2) A. Veerasami (3) R Raja, (4) M. Lingeswaran, (5) L. Pachaiappan (6) L. Gnanamurthy and (7) M. Kannan is justified? If justified, what relief, the workmen are entitled to?

2. To compute the relief, if any awarded in terms of money, if it can be so computed?

2. The averments made in the claim statement are briefly stated as follows:- 2 (i) The seven workmen, namely, (1) E. Murugan, (2) A. Veerasami (3) R. Raja, (4) M. Lingeswaran, (5) L. Pachaiappan (6) L. Gnanamurthy and (7) M. Kannan are working in the respondent management and they are members of the petitioner trade union and hereinafter they are referred as workmen. The said workmen are working with the respondent management for over a period ranging from 6 to 10 years. The respondent management is engaged in the manufacturing of washing soap, washing powder, toilet soap, shampoo, face powder etc., There are about 183 permanent workers in the respondent management. Since the management did not consider representations of the employees they organised themselves by forming trade union, namely, 'Power and Abirami Soap Thozhilalar Munnani' in order to toil the unit activities the office bearers of the said union were dismissed. Thereafter, another union by name 'Abirami Soap Thozhilalar Viduthalai Munnani' emerged but the respondent continued to victimise the members of the trade union. Under such circumstances, the 'Power and

Abirami Soap Thozhilalar Munnani' raised an industrial dispute against the unfair labour practice of the management. However, the Conciliation ended in failure and dispute is pending before this court for adjudication. The employees came to know that 'Abirami Soap Thozhilalar Viduthalai Munnani' is a management sponsored trade union. The money collected by the unit misused and accounts not properly maintained. So many employees resigned from the aforesaid trade union and given letter to the management. Under such circumstances most of the workmen concerned in this dispute relinquished their membership with the former management sponsored trade union and joined with the petitioner trade union, namely, 'Puthiya Jananayaga Thozhilalar Munnani'.

2(ii) The workmen concerned in this dispute were not permitted to enter the factory since 3-7-2013. Further they were not paid salary for the month of June 2013. In respect of denial of employment, the workmen had sent telegrams and representations to the Conciliation Officer. So the Deputy Inspector of Factories inspected the respondent factory. Thereafter the management started saying that the workmen concerned have been transferred, and sent transfer orders to the workmen and the particulars of the transfer given to workmen in the following

Tabular column:-

| Sl. | Workmen Concerned No. | Place of Transfer in the Dispute |
|-----|---------------------------|----------------------------------|
| (1) | (2) | (3) |
| 1. | E. Murugan (Loader) | Silvassa |
| 2. | A. Veerasamy (Production) | Silvassa |
| 3. | L. Gnanamurthy (Loader) | Silvassa |
| 4. | M. Lingeswaran (Loader) | Gummidipoondi |
| 5. | R. Raja (Loader) | Gummidipoondi |
| 6. | R. Pachaiappan (Loader) | Gummidipoondi |
| 7. | M. Kannan (Loader) | Gummidipoondi |

2(iii) The workmen are getting meager wages and out of the seven workmen three of them were transferred to Silvassa which is far away from Puducherry. The workmen do not know Hindi or English. So they cannot work at Silvassa and all the workmen are married and having children who are studying in schools in Puducherry. There is absolutely no administrative necessity or exigency for the transfer. So the transfer is illegal amount, to victimisation. Four workmen have

been transferred to Gummidipoondi which is also located in a far away place. The workmen concerned in the dispute have been transferred only with an intention of victimising them since they joined the petitioner union. The orders of transfer have been issued when the workmen concerned sent several complaints to various authorities regarding the oral denial of employment by the respondent. The order of transfer is an unfair labour practice by colorable exercise of power without semblance of justification. The respondent does not have power under the Certified Standing Orders to transfer the workmen concerned in this dispute. The proposed wage increase of 15 percent or 10 percent is of no consequence for an employee being completely uprooted from his family and the community. The workmen are not gainful employees from the date of illegal transfer, so they are starving along with family members. So it is prayed to hold that the order of transfer of seven workmen concerned in the dispute is illegal, arbitrary and in colorable exercise of power and to set aside the same, and consequently direct the respondent to reinstate the workmen concerned in the dispute with full backwages, continuity of service and all other attendant benefits with cost.

3. The averments made in the reply statement are briefly stated as follows:- 3(i) The petitioner is not a trade union registered under the Trade Unions Act which does not have any locus-standi to raise this dispute. It is admitted that the seven workmen concerned are the employees in the respondent factory and they were transferred to other factories of the respondent management situated at Gummidipoondi and Silvassa respectively. Four workers were transferred to Gummidipoondi and four workers to Silvassa and out of which one namely, Manoharan has already joined duty and the remaining seven workers have not reported for work. The transfer of the petitioners is out of dire necessity and exigency of work and also within the parameter of law. The workmen concerned were transferred by an order, dated 2-7-2013 and when the orders were served to the workmen individually they blatantly refused to receive the same. So the transfer orders were sent to them by registered post date on the same date. The petitioners without joining duty were loitering and entering into various correspondences alleging that the management prevented them from entering into factory. The workmen intentionally refused to accept the lawful orders of the respondent management and their acts per se are contrary to the terms of the certified standing orders of the company.

The present dispute against the transfer orders has been raised with an ulterior motive to procrastinate their transfer. The respondent never refused employment and in fact the workmen concerned refused to join duty at the transferred place by giving flimsy reason.

3(ii) The workmen have been transferred purely out of exigency of work and their transfer is as per the standing orders of the company. Refusing to accept orders of transfer is a grievous misconduct. Therefore the claim of the petitioners alleging non-employment or refusal of employment does not arise. It is purely a case of voluntary abetment of duty without obeying the lawful orders of the respondent management. The workmen are not entitled for re-employment, backwages or any other benefits and the claim made by the petitioner is liable to be dismissed.

4. On behalf of the petitioners/workers Thiru D. Palanisamy and Thiru E. Murugan has been examined as PW.1 and PW.2 and Exs.P1 to P59 were marked. On behalf of the respondent management, Thiru O.P. Sanjay Madan, General Manager has been testified as RW.1 and Ex.R1 to R69 were marked.

5. *The point for consideration is:*

(1) Whether transfer of seven workers concerned in this industrial dispute is an act of victimisation amounts to unfair labour practice?

(2) Whether the petitioners'/seven workers are entitled for reinstatement at Puducherry unit of Respondent Industry itself and other incidental reliefs as claimed by them?

6. *On this point:*

The seven workers, namely, (1) E. Murugan, (2) A. Veerasami, (3) R. Raja, (4) M. Lingeswaran, (5) L. Pachaiappan, (6) L. Gnanamurthy and (7) M.Kannan of the respondent industry were transferred to Gummidipoondi and Silvassa units by transfer orders, dated 2-7-2013. But the said workers without accepting the transfer orders have raised the industrial dispute stating that the respondent industry with a view to victimise the said workers indulged in unfair labour practice and denied employment. The seven workers mentioned above concerned in the industrial dispute referred above are hereinafter referred as workmen.

7. It is an admitted fact that the workmen concerned in this dispute are the employees of the respondent industry and they have rendered service for more than five years. The workmen were posted in production and loading sections. On 2-7-2013, the respondent management issued transfer orders to the seven workers

transferring the following workers (1) E. Murugan, (2) A. Veerasami, (3) R. Raja, (4) M. Lingeswaran, (5) L. Pachaiappan, (6) L. Gnanamurthy and (7) M.Kannan to Silvassa and Gummidipoondi units. Along with them one more worker, namely, T. Manoharan was also transferred to Silvassa who obeyed the order and joined at Silvassa unit.

8. The transfer orders issued to seven workers are marked as EX.P1 to P7 (the copy of the same is marked by the respondent side as Exs.R1, R11, R20, R28, R37, R46 and R55. As the workmen refused to receive the transfer orders they were sent by registered post, but the registered covers containing the transfer orders were returned with endorsement as refused. The returned covers have been produced by the respondent management and marked as exhibits. The workmen have sent a letter next day, on 3-7-2013 stating that when they came to the factory, for attending work they were not permitted to enter by the security. So again the workmen have submitted representation to the General Manager of the respondent alleging that the respondent with the intention of victimisation and motivation denied employment to them. The workmen have sent telegram to the Manager of the respondent stating that when they attended for duty the security not allowed them inside the factory. On receiving the letters from the workmen, the respondent management has sent memos, dated 8-7-2013 stating that the contents of the letters sent by the workmen are all false and the workmen intentionally refused to receive the transfer, and without obeying the transfer orders they made attempts to work at Pondicherry. Thereafter the workmen have sent several representations to allot work at Puducherry unit. But the respondent has sent memos directing them to obey the transfer order and to attend work at the transferred places. Finally, the trade union, namely, the New Democratic Labour Front in which the workmen are the members raised the industrial dispute before the Conciliation Officer by filing EX.P9 representations. EX.P8 is the reply submitted by the respondent management stating that the transfer of the workmen is out of dire necessity and exigency of work and also within the parameter of law and specifically denied all the allegations made in the representation of the petitioners. Further the respondent management has submitted EX.P10, explanation, dated 24-9-2013 to the Conciliation Officer explaining the circumstances under which the workmen were transferred. As the Conciliation failed the Conciliation Officer has sent EX.P12 report on failure of Conciliation, dated 19-2-2014 to the Government and consequently EX.P13 notification, dated 10-4-2014 has been issued by referring the dispute to this court for adjudication.

9. The learned counsel for the respondent management argued that the respondent industry is engaged in the manufacturing of washing soap, washing powder, toilet soap, shampoo, face powder *etc.*, and it has units at Gummidipoondi and Silvassa apart from Puducherry. As per the Certified Standing Orders the respondent is entitled to transfer the workmen either permanently or temporarily at any time from one unit, job, branch, sectors, department, to another whether it is new or old or acquired. The learned counsel for the respondent cited Clause 38 of the Certified Standing Orders marked as Ex.R64 (Ex.P14) which deals with transfer of workers and reads

38(a) "Every workman is liable to be transferred, according to exigencies of work, either permanently or temporarily, at any time, from one Unit, job, branch, sectors, department, whether it is new or old or acquired. Such transfers could also be made as far as possible within Puducherry region or to any of the allied or sister or from Mills to Administrative Office or Sales Department and vice-verse, provided that the wages, grade, continuity of services of the workman are not adversely affected by such arrangement. In case of refusal to report to the place where transferred, a corresponding deductions will be made from his wages, in accordance with the provisions of Payment of Wages Act, for the period of non-reporting for duty. They are also liable to disciplinary action under this standing order.....

In such cases, the workmen concerned shall be paid travelling allowance and other incidental expenses and also eligible for additional allowances on par with the workman employed in the places where the concerned workmen is being transferred (or) relocated."

So, it is clear from the above referred clause of the standing order that the respondent management has power and authority to transfer any workmen according to exigencies of work. It is the contention of the respondent management that as exigencies arose the seven workmen were transferred to Gummidipoondi and Silvassa units. Accordingly, transfer orders, dated 2-7-2013 were issued to the seven workmen who intentionally refused to accept the transfer orders. Totally, eight workers were transferred on the same dated, on 2-7-2013 among them Thiru T. Manoharan obeyed the order of transfer and joined duty and the records relating to transfer of T. Manoharan and his train travelling ticket copy and joining report *etc.*, have been produced as Ex.R66 to R69.

10. The learned Counsel for the respondent further contended that the seven workmen were transferred not with the intention of victimisation or punishment, but only due to dire necessity the transfer orders were issued. He further contended that not only seven the workmen, but several workers from Puducherry unit have already been transferred from Pondicherry to Chennai, Nallathur, Silvassa and Gummidipoondi units. The particulars of such transfer details are produced as Ex.R65. A perusal of this list would clearly indicate that from the year 2009 October onwards nearly 32 labourers have been transferred to various units of the respondent industry and the transferred workers obeyed the order of management and joined the duty at the transferred places.

11. The learned Counsel for the petitioner contended that as the seven workmen concerned with the dispute relieved from the trade union, namely, 'Abirami Soap Thozhilalar Viduthalai Munnani' and joined as members other trade union, namely, 'New Democratic Labour Front' this irked the management resulted in transferring of the workers as victimisation. He further contended that Abirami Soap Thozhilalar Viduthalai Munnani is a puppet trade union of the management and it's office bearers are lawyers to the management and they failed to protect the interest and welfare of the workers. So the workmen concerned relied from that trade union and joined the new trade union. Only because of this incident the management victimised and punished the seven workers by transferring them to various far away places.

12. First of all the Certified Standing Orders permit the management to transfer its workers in case of dire necessity and exigencies. Already several labourers have been transferred and they are now working at different places as seen from Ex.R65. Even the other worker Thiru T. Manoharan who was transferred along with the seven workmen joined duty at the new station. So the transfer of the seven workers concerned with the dispute cannot be termed a victimisation or punishment or unfair labour practice. The learned counsel for the workmen submitted that Silvassa is a far away place situated at Maharashtra and the workmen do not know Hindi and they could not get adequate shelter, so, it would be very difficult for the workmen to go to Silvassa and serve there. In fact, the Supervisor Thiru Sankar of the Silvassa unit is a Tamilian and many Tamilians are working at Silvassa and they have been provided with safety sheds for stay according to RW.1. The management is ready to pay travelling allowance and arrange their train tickets for the transferred workers to enable them to go to Silvassa. So, it may not be a difficult task for the workers under transfer to go to the new station.

13. The workmen concerned in this dispute deliberately and intentionally refused to receive the transfer orders, when furnished directly and also sent by registered post. But they have chosen to raise industrial dispute as if the management denied employment to them. There is no question of denial of employment in this case, since the management is ready to provide employment to workmen concerned. The management has stated that there will be 15 percent increase on wages for workers transferred to Silvassa and 10 percent increase for workers transferred to Gummidipoondi. Further transferring expenses and first 15 days boarding expenses will be borne by the company. When the Standing Orders permits the management to issue transfer orders, the respondent is entitled to transfer some of workers due to exigencies and dire necessity. The respondent has stated not anything about the formation of the New Trade Union and the involvement of the workmen in the trade union activities. When the respondent management used to transfer workers frequently to other units, the contention of the workmen concerned that only as punishment or victimisation they have been transferred cannot be accepted.

14. The learned counsel for the respondent submitted that transfer of workmen is only a temporary arrangement and there is possibility for transferring them again Puducherry. The workmen have no right to contend that they are non-transferable, so they could not be transferred. RW.1 the General Manager of the respondent industry has clearly explained the circumstances under which the workmen have been transferred. There is no material to hold that the petitioners are the members of the union, namely, New Democratic Labour Front. RW.1 has categorically stated that the management has not concerned with the trade union, namely, New Democratic Labour Front. The trade union, namely, New Democratic Labour Front has not been recognised according to RW.1. Under such circumstances, it is difficult to conclude that since the workmen joined as members in the New Democratic Labour Front resulted in their transfer as an act of punishment or victimisation.

15. The petitioners have not established that the respondent industry with a view to punish and victimise them has transferred to far away places and such an act amounts to unfair labour practice. Accordingly, I hold that the transfer of seven workmen is strictly in accordance with the provisions of the Certified Standing Orders and not an act of victimisation nor amounting to unfair labour practice. The respondent industry only

due to exigency and dire necessity has transferred the seven workers to Gummidipoondi and Silvassa units. There is no subsistence to hold that the transfer is an act of victimisation or punishment amounting to unfair labour practice. In the absence any relevant material it cannot be presumed that the transfer is illegal and amounts to victimisation. The workmen intentionally disobeyed the order of transfer and raised industrial dispute as denial of employment. The management is always ready to allot work to the workmen at the transferred places. So the petitioners/seven workmen are not entitled for the relief as claimed in the dispute. Hence, I conclude and answer Point No.1 that transfer of seven workers concern in this industrial dispute is not an act of victimisation amounting to unfair labour practice. Further, I answer Point No.2 that the workmen concerned in this dispute are not entitled for any relief as claimed in the petition.

16. In the result, this industrial dispute is dismissed. No costs. Dictated to the Stenographer transcribed by her, corrected and pronounced by me in open court on this the 31st day of March, 2016.

N. SIVAKUMAR,
Presiding Officer, Labour Court,
Pondicherry.

List of petitioner's witnesses:

PW.1 — 16-3-2015 — D. Palanisamy

PW.2 — 10-12-2015 — E. Murugan

List of respondent's witness:

RW.1 — 8-2-2016 — O.P. Sanjay Madan

List of petitioner's exhibits:

Ex.P1 — Copy of the letter of E. Murugan, dated 2-7-2013 (Photocopy)

Ex.P2 — Copy of the letter of A. Veerasamy, dated 2-7-2013 (Photocopy)

Ex.P3 — Copy of the letter of L. Gnanamoorthy, dated 2-7-2013 (Photocopy)

Ex.P4 — Copy of the letter of M. Lingeswaran, dated 2-7-2013 (Photocopy)

Ex.P5 — Copy of the letter of R. Raja, dated 2-7-2013 (Photocopy)

Ex.P6 — Copy of the letter of R. Pachaiappan, dated 2-7-2013 (Photocopy)

Ex.P7 — Copy of the letter of M. Kannan, dated 2-7-2013 (Photocopy)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Ex.P8 — Copy of the Reply notice issued by the Respondent to the Labour Officer (Conciliation), Labour Department, Puducherry, dated 23-7-2013. (Original)</p> <p>Ex.P9 — Copy of the Petition filed under Section 2(K) filed by the Petitioners to the Labour Officer (Conciliation), Puducherry, dated 5-8-2013. (Photocopy)</p> <p>Ex.P10 — Copy of the Reply notice issued by the Respondent to the Labour Officer (Conciliation), Labour Department, dated 24-9-2013. (Original)</p> <p>Ex.P11 — Copy of the Reply notice issued by the Petitioner to the Labour Officer (Conciliation), Labour Department, Puducherry, dated 9-10-2013. (Photocopy)</p> <p>Ex.P12 — Copy of the failure report of Labour Officer (Conciliation), Labour Department, Puducherry, dated 19-2-2014. (Original)</p> <p>Ex.P13 — Copy of the Notification under G.O. Rt. No. 64/AIL/LAB/J/2014, dated 10-4-2014 in Labour Department, Puducherry, dated 10-4-2014. (Original)</p> <p>Ex.P14 — Copy of the Standing Orders (Photocopy)</p> <p>Ex.P15 — Copy of the Relieving letter issued by E. Murugan (Petitioner union) <i>e-mail</i> send to the Respondent management, dated 2-7-2013. (Photocopy)</p> <p>Ex.P16 — Copy of the Relieving letter issued by E. Murugan (Petitioner union) copy to the Labour officer (Conciliation), Labour Department, Puducherry, dated 2-7-2013. (Photocopy)</p> <p>Ex.P17 — Copy of the Relieving letter issued by E. Murugan (Petitioner union) copy to the Labour Commissioner, Labour Department, Puducherry, dated 2-7-2013. (Photocopy)</p> <p>Ex.P18 — Copy of the Complaint letter issued by E. Murugan (Petitioner union) to the Respondent Management with Postal Receipt, dated 3-7-2013. (Photocopy)</p> <p>Ex.P19 — Copy of the Relieving letter issued by E. Murugan (Petitioner union) to the President, Abirami Soap Thozhilalar Viduthalai Munnani, dated 3-7-2013. (Photocopy)</p> | <p>Ex.P20 — Copy of the Relieving letter issued by E. Murugan (Petitioner union) to the Labour Commissioner, Labour Department, Puducherry, dated 3-7-2013. (Photocopy)</p> <p>Ex.P21 — Copy of the Letter issued by the President, Puthiya Jananayaga Thozhilalar Munnani to the Labour Commissioner, Labour Department, Puducherry, dated 3-7-2013. (Photocopy)</p> <p>Ex.P22 — Copy of the Objection Letter issued by E. Murugan (Petitioner union) to the Respondent and copy to the Labour Commissioner, Labour Department, Puducherry, dated 4-7-2013. (Photocopy)</p> <p>Ex.P23 — Copy of the Objection Letter issued by E. Murugan (Petitioner union) to the Respondent and copy to the Labour Officer (Conciliation), Labour Department, Puducherry, dated 14-11-2013. (Photocopy)</p> <p>Ex.P24 — Copy of the Relieving Letter issued by A. Veerasamy (Petitioner union) <i>e-mail</i> send to the Respondent Management, dated 2-7-2013. (Photocopy)</p> <p>Ex.P25 — Copy of the Relieving Letter issued by A. Veerasamy (Petitioner union) to the Respondent and copy to the Labour Officer (Conciliation), Labour Department, Puducherry, dated 2-7-2013. (Photocopy)</p> <p>Ex.P26 — Copy of the Complaint Letter issued by A. Veerasamy (Petitioner union) to the Respondent Management, dated 3-7-2013. (Photocopy)</p> <p>Ex.P27 — Copy of the Relieving letter issued by A. Veerasamy (Petitioner union) send to the President, Abirami Soap Thozhilalar Viduthalai Munnani, dated 3-7-2013. (Photocopy)</p> <p>Ex.P28 — Copy of the Letter issued by A. Veerasamy (Petitioner union) to the Labour Commissioner, Labour Department, Puducherry, dated 3-7-2013. (Photocopy)</p> <p>Ex.P29 — Copy of the Objection Letter issued by A. Veerasamy (Petitioner union) to the Respondent and copy to Labour Commissioner, Labour Department Puducherry, dated 4-7-2013. (Photocopy)</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Ex.P30 — Copy of the Objection Letter issued by A. Veerasamy(Petitioner union) to the Respondent and copy to Labour Officer (Conciliation), Labour Department, Puducherry, dated 14-11-2013. (Photocopy)</p> <p>Ex.P31 — Copy of the Relieving Letter issued by L. Gnanamurthy (Petitioner union) <i>e-mail</i> send to the Respondent Management, dated 2-7-2013. (Photocopy)</p> <p>Ex.P32 — Copy of the Relieving Letter issued by L. Gnanamurthy (Petitioner union) to the Respondent and copy to Labour Officer (Conciliation), Labour Department, Puducherry, dated 2-7-2013. (Photocopy)</p> <p>Ex.P33 — Copy of the Relieving Letter issued by L. Gnanamurthy (Petitioner union) to the Respondent and copy to Labour Commissioner, Labour Department, Puducherry, dated 2-7-2013. (Photocopy)</p> <p>Ex.P34 — Copy of the Complaint Letter issued by L. Gnanamurthy (Petitioner union) <i>e-mail</i> send to the Respondent Management, dated 3-7-2013. (Photocopy)</p> <p>Ex.P35 — Copy of the Relieving letter issued by L. Gnanamurthy (Petitioner union) send to the President, Abirami Soap Thozhilalar Viduthalai Munnani, dated 3-7-2013 (Photocopy)</p> <p>Ex.P36 — Copy of the Letter issued by L. Gnanamurthy (Petitioner union) to the Labour Commissioner, Labour Department, Puducherry, dated 3-7-2013 (Photocopy)</p> <p>Ex.P37 — Copy of the Objection Letter issued by L. Gnanamurthy (Petitioner union) to the Respondent and copy to Labour Officer (Conciliation), Labour Department, Puducherry, dated 4-7-2013. (Photocopy)</p> <p>Ex.P38 — Copy of the Objection Letter issued by L. Gnanamurthy (Petitioner union) to the Respondent and copy to Labour Commissioner, Labour Department, Puducherry, dated 14-11-2013. (Photocopy)</p> <p>Ex.P39 — Copy of the Relieving Letter issued by M. Lingeswaran (Petitioner union) <i>e-mail</i> send to the Respondent Management, dated 2-7-2013. (Photocopy)</p> <p>Ex.P40 — Copy of the Relieving Letter issued by M. Lingeswaran (Petitioner union) to the Respondent and copy to the Labour Commissioner, Labour Department, Puducherry, dated 2-7-2013. (Photocopy)</p> | <p>Ex.P41 — Copy of the Complaint Letter issued by M. Lingeswaran (Petitioner union) to the Respondent Management, dated 3-7-2013. (Photocopy)</p> <p>Ex.P42 — Copy of the Relieving letter issued by M. Lingeswaran (Petitioner union) send to the President, Abirami Soap Thozhilalar Viduthalai Munnani, dated 3-7-2013. (Photocopy)</p> <p>Ex.P43 — Copy of the Letter issued by M. Lingeswaran (Petitioner union) to the Labour Commissioner, Labour Department, Puducherry, dated 3-7-2013. (Photocopy)</p> <p>Ex.P44 — Copy of the Objection Letter issued by M. Lingeswaran (Petitioner union) to the Respondent and copy to Labour Commissioner, Labour Department, Puducherry, dated 4-7-2013. (Photocopy)</p> <p>Ex.P45 — Copy of the Objection Letter issued by M. Lingeswaran (Petitioner union) to the Respondent and copy to Labour Officer (Conciliation), Labour Department, Puducherry, dated 14-11-2013. (Photocopy)</p> <p>Ex.P46 — Copy of the Relieving Letter issued by R. Pachaiaappan (Petitioner union) <i>e-mail</i> send to the Respondent Management, dated 2-7-2013. (Photocopy)</p> <p>Ex.P47 — Copy of the Relieving Letter issued by R. Pachaiaappan (Petitioner union) to the Respondent and copy to the Labour Commissioner, Labour Department, Puducherry, dated 2-7-2013. (Photocopy)</p> <p>Ex.P48 — Copy of the Complaint Letter issued by R. Pachaiaappan (Petitioner union) to the Respondent Management with Postal Receipt, dated 3-7-2013. (Photocopy)</p> <p>Ex.P49 — Copy of the Relieving letter issued by R. Pachaiaappan (Petitioner union) send to the President, Abirami Soap Thozhilalar Viduthalai Munnani, dated 3-7-2013. (Photocopy)</p> <p>Ex.P50 — Copy of the Letter issued by R. Pachaiaappan (Petitioner union) to the Labour Commissioner, Labour Department, Puducherry, dated 3-7-2013. (Photocopy)</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- Ex.P51 — Copy of the Objection Letter issued by R. Pachaiappan (Petitioner union) to the Respondent and copy to Labour Commissioner, Labour Department, Puducherry, dated 4-7-2013. (Photocopy)
- Ex.P52 — Copy of the Objection Letter issued by R. Pachaiappan (Petitioner union) to the Respondent and copy to Labour Officer (Conciliation), Labour Department, Puducherry, dated 14-11-2013. (Photocopy)
- Ex.P53 — Copy of the Relieving Letter issued by M. Kannan (Petitioner union) *e-mail* send to the Respondent Management, dated 2-7-2013. (Photocopy)
- Ex.P54 — Copy of the Relieving Letter issued by M. Kannan (Petitioner union) to the Respondent and copy to the Labour Officer (Conciliation), Labour Department, Puducherry, dated 1-7-2013. (Photocopy)
- Ex.P55 — Copy of the Complaint Letter issued by the M. Kannan (Petitioner union) to the Respondent Management with Postal Receipt, dated 3-7-2013. (Photocopy)
- Ex.P56 — Copy of the Relieving letter issued by M. Kannan (Petitioner union) send to the President, Abirami Soap Thozhilalar Viduthalai Munnani, dated 3-7-2013. (Photocopy)
- Ex.P57 — Copy of the Letter issued by the M. Kannan (Petitioner union) to the Labour Commissioner, Labour Department, Puducherry, dated 3-7-2013. (Photocopy)
- Ex.P58 — Copy of the Objection Letter issued by M. Kannan (Petitioner union) to the Respondent and copy to Labour Commissioner, Labour Department, Puducherry, dated 4-7-2013. (Photocopy)
- Ex.P59 — Copy of the Objection Letter issued by M. Kannan (Petitioner union) to the Respondent and copy to Labour Officer (Conciliation), Labour Department, Puducherry, dated 14-11-2013. (Photocopy)

List of respondent's exhibits:

- Ex.R1 — Copy of the transfer order of E. Murugan (Petitioner union) with registered post receipt, dated 2-7-2013. (Photocopy)

- Ex.R2 — Copy of the transfer order registered post returned cover with postal remarks, dated 2-7-2013. (Photocopy)
- Ex.R3 — Copy of the letter issued by E. Murugan to the Respondent Management, dated 3-7-2013. (Photocopy)
- Ex.R4 — Copy of the letter issued by E. Murugan to the Respondent Management, dated 4-7-2013. (Photocopy)
- Ex.R5 — Copy of the telegram message received from petitioners, dated 5-7-2013. (Photocopy)
- Ex.R6 — Copy of the memorandum sent by the respondent to E. Murugan with registered post receipt, dated 8-7-2013. (Photocopy)
- EX.R7 — Copy of the memorandum registered post returned cover with postal remarks, dated 8-7-2013. (Photocopy)
- Ex.R8 — Copy of the letter issued by E. Murugan to the Respondent Management, dated 8-7-2013. (Photocopy)
- Ex.R9 — Copy of the memorandum sent by the respondent to E. Murugan with registered post receipt, dated 8-8-2013. (Photocopy)
- EX.R10 — Copy of the memorandum sent by the respondent to E. Murugan with registered post receipt and Acknowledgment card, dated 22-10-2013. (Photocopy)
- Ex.R11 — Copy of the transfer order of A. Veerasami (Petitioner union) with registered post receipt, dated 2-7-2013. (Photocopy)
- Ex.R12 — Copy of the transfer order registered post returned cover with postal remarks, dated 2-7-2013. (Photocopy)
- Ex.R13 — Copy of the letter issued by A. Veerasami to the Respondent Management, dated 3-7-2013. (Photocopy)
- Ex.R14 — Copy of the letter issued by A. Veerasami to the Respondent Management, dated 4-7-2013. (Photocopy)
- Ex.R15 — Copy of the memorandum sent by the respondent to A. Veerasami with registered post receipt, dated 8-7-2013. (Photocopy)

Ex.R16 — Copy of the memorandum registered post returned cover with postal remarks, dated 9-7-2013. (Photocopy)

Ex.R17 — Copy of the letter issued by A. Veerasami to the Respondent Management, dated 17-7-2013. (Photocopy)

Ex.R18 — Copy of the memorandum sent by the respondent to A. Veerasami with registered post receipt, dated 8-8-2013. (Photocopy)

Ex.R19 — Copy of the memorandum sent by the respondent to A. Veerasami with registered post receipt, dated 22-10-2013. (Photocopy)

Ex.R20 — Copy of the transfer order of R. Raja (Petitioner union) with registered post receipt, dated 2-7-2013. (Photocopy)

Ex.R21 — Copy of the transfer order registered post returned cover with postal remarks, dated 2-7-2013. (Photocopy)

Ex.R22 — Copy of the letter issued by R. Raja to the Respondent Management, dated 3-7-2013. (Photocopy)

Ex.R23 — Copy of the letter issued by R. Raja to the Respondent Management, dated 4-7-2013. (Photocopy)

Ex.R24 — Copy of the memorandum sent by the respondent to R. Raja with registered post receipt, dated 8-7-2013. (Photocopy)

Ex.R25 — Copy of the memorandum registered post returned cover with postal remarks, dated 8-7-2013. (Photocopy)

Ex.R26 — Copy of the memorandum sent by the respondent to R. Raja with registered post receipt and its returned cover, dated 8-8-2013. (Photocopy)

Ex.R27 — Copy of the memorandum sent by the respondent to R. Raja with registered post receipt and its returned cover, dated 22-10-2013. (Photocopy)

Ex.R28 — Copy of the transfer order of M. Lingeshwaran (Petitioner union) with registered post receipt, dated 2-7-2013. (Photocopy)

Ex.R29 — Copy of the transfer order registered post returned cover with postal remarks, dated 2-7-2013. (Photocopy)

Ex.R30 — Copy of the letter issued by M. Lingeshwaran to the Respondent Management, dated 3-7-2013. (Photocopy)

Ex.R31 — Copy of the letter issued by M. Lingeshwaran to the Respondent Management, dated 4-7-2013. (Photocopy)

Ex.R32 — Copy of the memorandum sent by the respondent to M. Lingeshwaran with registered post receipt, dated 8-7-2013. (Photocopy)

Ex.R33 — Copy of the memorandum registered post returned cover with postal remarks, dated 8-7-2013. (Photocopy)

Ex.R34 — Copy of the letter issued by M. Lingeshwaran to the Respondent Management, dated 8-7-2013. (Photocopy)

Ex.R35 — Copy of the memorandum sent by the respondent to M. Lingeshwaran with registered post receipt and its returned cover, dated 8-8-2013. (Photocopy)

Ex.R36 — Copy of the memorandum sent by the respondent to M. Lingeshwaran with registered post receipt and Acknowledgment card, dated 22-10-2013. (Photocopy)

Ex.R37 — Copy of the transfer order of R. Patchaiappan (Petitioner union) with registered post receipt, dated 2-7-2013. (Photocopy)

Ex.R38 — Copy of the transfer order of registered post returned cover with postal remarks, dated 2-7-2013. (Photocopy)

Ex. R39 — Copy of the letter issued by R. Patchaiappan to the Respondent Management, dated 2-7-2013. (Photocopy)

Ex.R40 — Copy of the letter issued by R. Patchaiappan to the Respondent Management, dated 4-7-2013. (Photocopy)

Ex.R41 — Copy of the memorandum sent by the respondent to R. Patchaiappan with registered post receipt, dated 8-7-2013. (Photocopy)

Ex.R42 — Copy of the memorandum registered post returned cover with postal remarks, dated 8-7-2013. (Photocopy)

Ex.R43 — Copy of the letter issued by R. Patchaiappan to the Respondent Management, dated 8-7-2013. (Photocopy)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Ex.R44 — Copy of the memorandum sent by the respondent to R. Patchaiappan with registered post receipt, dated 8-8-2013. (Photocopy)</p> <p>Ex.R45 — Copy of the memorandum sent by the respondent to R. Patchaiappan with registered post receipt and Acknowledgment card, dated 22-10-2013. (Photocopy)</p> <p>Ex.R46 — Copy of the transfer order of L. Gnanamoorthy (Petitioner union) with registered post receipt, dated 2-7-2013. (Photocopy)</p> <p>Ex.R47 — Copy of the transfer order of registered post returned cover with postal remarks, dated 2-7-2013. (Photocopy)</p> <p>Ex.R48 — Copy of the letter issued by L. Gnanamoorthy to the Respondent Management, dated 3-7-2013. (Photocopy)</p> <p>Ex.R49 — Copy of the letter issued by L. Gnanamoorthy to the Respondent Management, dated 4-7-2013. (Photocopy)</p> <p>Ex.R50 — Copy of the memorandum sent by the respondent to L. Gnanamoorthy with registered post receipt, dated 8-7-2013. (Photocopy)</p> <p>Ex.R51 — Copy of the memorandum registered post returned cover with postal remarks, dated 8-7-2013. (Photocopy)</p> <p>Ex.R52 — Copy of the letter issued by L. Gnanamoorthy to the Respondent Management, dated 8-7-2013. (Photocopy)</p> <p>Ex.R53 — Copy of the memorandum sent by the respondent to L. Gnanamoorthy with registered post receipt and Acknowledgment card, dated 8-8-2013. (Photocopy)</p> <p>Ex.R54 — Copy of the memorandum sent by the respondent to L. Gnanamoorthy with registered post receipt and Acknowledgment card, dated 22-10-2013. (Photocopy)</p> <p>Ex.R55 — Copy of the transfer order of M. Kannan (Petitioner union) with registered post receipt, dated 2-7-2013. (Photocopy)</p> <p>Ex.R56 — Copy of the transfer order of registered post returned cover with postal remarks, dated 2-7-2013. (Photocopy)</p> | <p>Ex.R57 — Copy of the letter issued by the M. Kannan to the respondent Management, dated 3-7-2013. (Photocopy)</p> <p>Ex.R58 — Copy of the letter issued by M. Kannan to the respondent Management, dated 4-7-2013. (Photocopy)</p> <p>Ex.R59 — Copy of the memorandum sent by the respondent to M. Kannan with registered post receipt, dated 8-7-2013. (Photocopy)</p> <p>Ex.R60 — Copy of the memorandum registered post returned cover with postal remarks, dated 8-7-2013. (Photocopy)</p> <p>Ex.R61 — Copy of the letter issued by M. Kannan to the respondent Management, dated 8-7-2013. (Photocopy)</p> <p>Ex.R62 — Copy of the memorandum sent by the respondent to M. Kannan with registered post receipt and returned cover, dated 8-8-2013. (Photocopy)</p> <p>Ex.R63 — Copy of the memorandum sent by the respondent to M. Kannan with registered post receipt and Acknowledgment card, dated 22-10-2013. (Photocopy)</p> <p>Ex.R64 — Copy of the Certified Standing Order of the Company. (Photocopy)</p> <p>Ex.R65 — Copy of the list of employees transferred to other places. (Photocopy)</p> <p>Ex.R66 — Copy of the transfer order of T. Manoharan (Petitioner union) with registered post receipt, dated 2-7-2013. (Photocopy)</p> <p>Ex.R67 — Copy of the letter issued by T. Manoharan to the Respondent Management, dated 31-7-2013. (Photocopy)</p> <p>Ex.R68 — Copy of the train reservation ticket from Chennai to Mumbai, dated 31-7-2013. (Photocopy)</p> <p>Ex.R69 — Copy of the letter issued by T. Manoharan to the respondent Management, dated 7-8-2013. (Photocopy)</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

N. SIVAKUMAR,
Presiding Officer, Labour Court,
Pondicherry.